

By: *[Signature]*

S.J.R. No. 10

*SENATE*  
A JOINT RESOLUTION

1 proposing a constitutional amendment relating to the creation of a  
2 judicial compensation commission.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Article V, Texas Constitution, is amended by  
5 adding Section 32 to read as follows:

6 Sec. 32. (a) Notwithstanding any other provisions of this  
7 constitution, the Legislature may by law create a judicial  
8 compensation commission to make recommendations for judicial  
9 salaries that become law if neither the Senate nor the House of  
10 Representatives, by majority vote, rejects the recommendations.

11 (b) Subsection (a) of this section applies only to salaries  
12 for justices and judges of the Supreme Court, the Court of Criminal  
13 Appeals, the Courts of Appeals, and the District Courts.

14 SECTION 2. This proposed constitutional amendment shall be  
15 submitted to the voters at an election to be held November 2, 1999.  
16 The ballot shall be printed to provide for voting for or against  
17 the proposition: "The constitutional amendment authorizing the  
18 legislature to create a judicial compensation commission."

3-11-99

4-15-99

5-27-99

1-1 By: Brown S.J.R. No. 10  
1-2 (In the Senate - Filed December 2, 1998; February 1, 1999,  
1-3 read first time and referred to Committee on Finance;  
1-4 March 11, 1999, reported favorably by the following vote: Yeas 11,  
1-5 Nays 0; March 11, 1999, sent to printer.)

1-6 SENATE JOINT RESOLUTION

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1-23 the proposition: "The constitutional amendment authorizing the  
1-24 legislature to create a judicial compensation commission."

1-25 \* \* \* \* \*

**FAVORABLE  
SENATE COMMITTEE REPORT ON**

SB SCR (SJR) SR NB HCR HJR 10  
By Brown  
(Author/Senate Sponsor)  
3/11/99  
(date)

Sir:

We, your Committee on FINANCE, to which was referred the attached measure, have on March 10, 1999, had the same under consideration and I am instructed to report it back with the recommendation (s) that it:

- ☒ do pass and be printed  
☐ do pass and be ordered not printed  
☐ and is recommended for placement on the Local and Uncontested Bills Calendar.

A fiscal note was requested. ☒ yes ☐ no  
A revised fiscal note was requested. ☐ yes ☒ no  
An actuarial analysis was requested. ☐ yes ☒ no  
Considered by subcommittee. ☐ yes ☒ no

The measure was reported from Committee by the following vote:

	YEA	NAY	ABSENT	PNV
Senator Ratliff, Chair	<input checked="" type="checkbox"/>			
Senator Truan, Vice-Chair	<input checked="" type="checkbox"/>			
Senator Barrientos	<input checked="" type="checkbox"/>			
Senator Carona	<input checked="" type="checkbox"/>			
Senator Duncan	<input checked="" type="checkbox"/>			
Senator Fraser	<input checked="" type="checkbox"/>			
Senator Gallegos	<input checked="" type="checkbox"/>			
Senator Lindsay	<input checked="" type="checkbox"/>			
Senator Moncrief	<input checked="" type="checkbox"/>			
Senator Ogden	<input checked="" type="checkbox"/>			
Senator West	<input checked="" type="checkbox"/>			
TOTAL VOTES	<u>11</u>	<u>2</u>	<u>2</u>	<u>2</u>

**COMMITTEE ACTION**

S260 Considered in public hearing  
S270 Testimony taken

Patricia Hicks  
COMMITTEE CLERK

Bruce Ratliff  
CHAIR

Paper clip the original and one copy of this signed form to the original bill  
Retain one copy of this form for Committee files

WITNESS LIST

SJR 10  
SENATE COMMITTEE REPORT  
Finance Committee

March 10, 1999 - 9:00A

Registering, but not testifying:

On: Davis, Denise (Texas Judicial Council), Austin

## **BILL ANALYSIS**

Senate Research Center  
76R1400 JMC-D

S.J.R. 10  
By: Brown  
Finance  
3/1/1999  
As Filed

### **DIGEST**

Currently, under Texas law, the legislature is not authorized to create a judicial compensation committee to make recommendations for judicial salaries. The commission on judicial efficiency evaluated the judicial system in Texas and recommended the creation of a judicial compensation committee to make recommendations to the legislature regarding judicial salaries. This bill requires the submission to the voters of a constitutional amendment to create a judicial compensation committee.

### **PURPOSE**

As proposed, S.J.R. 10 requires the submission to the voters of a constitutional amendment to create a judicial compensation commission.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Article V, Texas Constitution, by adding Section 32, to authorize the legislature to create a judicial compensation commission (commission) to make recommendations for judicial salaries that become law if neither the Senate nor the House of Representatives rejects the recommendations, by majority vote. Provides that the commission recommends salaries only for the Supreme Court, the Court of Criminal Appeals, the Courts of Appeal, and the District Courts.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 2, 1999. Sets forth the required language for the ballot.

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 76th Regular Session**

March 7, 1999

**TO:** Honorable Bill Ratliff, Chair, Senate Committee on Finance

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE:** **SJR10** by Brown, J.E. "Buster" (proposing a constitutional amendment relating to the creation of a judicial compensation commission), **As Introduced**

**No fiscal implication to the State is anticipated, other than the cost of publication.** The cost to the state for publication of the resolution is \$76,352.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 212 Office of Court Administration

**LBB Staff:** JK, BB, DG

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Cont  
see

April 15 19 99 Engrossed

Datay Daw  
Engrossing Clerk

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED  
DATE 01-10-2001 BY 60322 UCBAW/STP

100-441101-1000

By: Brown  
(Thompson)

S.J.R. No. 10

SENATE JOINT RESOLUTION

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**LBB Staff:** JK, BB, DG

# HOUSE COMMITTEE REPORT

1<sup>st</sup> Printing

MAY 22 AM 1:12  
HOUSE OF REPRESENTATIVES

By: Brown  
(Thompson)

S.J.R. No. 10

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legislature to create a judicial compensation commission."

# COMMITTEE REPORT

The Honorable James E. "Pete" Laney  
Speaker of the House of Representatives

5/21/99  
(date)

Sir:  
We, your COMMITTEE ON JUDICIAL AFFAIRS  
to whom was referred SJR 10 have had the same under consideration and beg to report  
back with the recommendation that it

- ☒ do pass, without amendment.  
☐ do pass, with amendment(s).  
☐ do pass and be not printed; a Complete Committee Substitute is recommended in lieu of the original measure.  
☐ yes ☒ no A fiscal note was requested.  
☐ yes ☒ no A criminal justice policy impact statement was requested.  
☐ yes ☒ no An equalized educational funding impact statement was requested.  
☐ yes ☒ no An actuarial analysis was requested.  
☐ yes ☒ no A water development policy impact statement was requested.  
☐ yes ☒ no A tax equity note was requested.  
☐ The Committee recommends that this measure be sent to the Committee on Local and Consent Calendars.

For Senate Measures: House Sponsor Thompson

Joint Sponsors: \_\_\_\_\_

Co-Sponsors: \_\_\_\_\_

The measure was reported from Committee by the following vote:

	AYE	NAY	PNV	ABSENT
Thompson, Chair	✓			
Hartnett, Vice-chair	✓			
Capelo	✓			
Deshotel	✓			
Garcia				✓
Hinojosa				✓
Shields		✓		
Solis, Jim	✓			
Uresti	✓			

Total  
6 aye  
1 nay  
0 present, not voting  
2 absent

*Lenfonia Thompson*  
CHAIR

## **BILL ANALYSIS**

Office of House Bill Analysis

S.J.R. 10  
By: Brown  
Judicial Affairs  
5/4/1999  
Engrossed

### **BACKGROUND AND PURPOSE**

Currently, under Texas law, the legislature is not authorized to create a judicial compensation committee to make recommendations for judicial salaries. The commission on judicial efficiency evaluated the judicial system in Texas and recommended the creation of a judicial compensation committee to make recommendations to the legislature regarding judicial salaries. S.J.R. 10 requires the submission to the voters of a constitutional amendment to create a judicial compensation committee.

### **RULEMAKING AUTHORITY**

It is the opinion of the Office of House Bill Analysis that this bill does not expressly delegate any additional rulemaking authority to a state officer, department, agency, or institution.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Article V, Texas Constitution, by adding Section 32, to authorize the legislature to create a judicial compensation commission (commission) to make recommendations for judicial salaries that become law if neither the Senate nor the House of Representatives rejects the recommendations, by majority vote. Provides that the commission recommends salaries only for the Supreme Court, the Court of Criminal Appeals, the Courts of Appeal, and the District Courts.

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SUMMARY OF COMMITTEE ACTION

SJR 10

May 21, 1999      upon final recess

Considered in formal meeting

Reported favorably without amendment(s)

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 76th Regular Session**

March 7, 1999

**TO:** Honorable Bill Ratliff, Chair, Senate Committee on Finance

**FROM:** John Keel, Director, Legislative Budget Board

**IN RE:** SJR10 by Brown, J.E. "Buster" (proposing a constitutional amendment relating to the creation of a judicial compensation commission), **As Introduced**

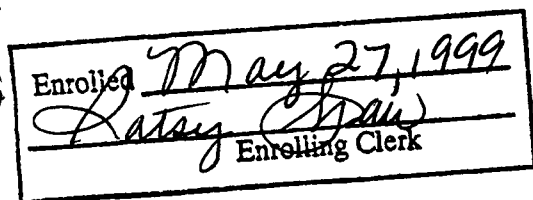
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**Local Government Impact**

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**LBB Staff:** JK, BB, DG



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S.J.R. No. 10

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.J.R. No. 10 was adopted by the Senate on April 15, 1999, by the following vote: Yeas 30, Nays 0.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.J.R. No. 10 was adopted by the House on May 26, 1999, by the following vote: Yeas 102, Nays 35, four present not voting.

\_\_\_\_\_  
Chief Clerk of the House



**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 76th Regular Session**

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\_\_\_\_\_  
Chief Clerk of the House

S.J.R. No. 10

By Brown

**Proposing a constitutional amendment relating to the creation of a judicial compensation commission.**

DEC 02 1998

Filed with the Secretary of the Senate

FEB 01 1999

Read and referred to Committee on FINANCE

MAR 11 1999

Reported favorably \_\_\_\_\_

Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

Ordered not printed

Laid before the Senate

APR 15 1999

Senate and Constitutional Rules to permit consideration suspended by:

unanimous consent

\_\_\_\_ yeas, \_\_\_\_ nays

APR 15 1999

Read second time, \_\_\_\_\_, and ordered engrossed by:

unanimous consent

a viva voce vote

\_\_\_\_ yeas, \_\_\_\_ nays

APR 15 1999

Senate and Constitutional 3 Day Rule suspended by a vote of 29 yeas, 1 nays.

APR 15 1999

Read third time, \_\_\_\_\_, and passed by: 30 yeas, 0 nays

Betty King  
SECRETARY OF THE SENATE

**OTHER ACTION:**

April 15, 1999 Engrossed

April 16, 1999 Sent to House

Engrossing Clerk

Satsy Spaw

APR 16 1999

Received from the Senate

APR 19 1999

Read first time and referred to Committee on Judicial Affairs

MAY 21 1999

Reported \_\_\_\_\_ favorably (~~as amended~~) (~~as substituted~~)

MAY 22 1999

Sent to Committee on Calendars

MAY 25 1999

Read second time (~~as amended~~) (~~as substituted~~) and adopted passed to third reading by a record vote of 82 yeas, 57 nays, 2 present, not voting

MAY 26 1999

Read third time (~~as amended~~) and finally adopted (~~failed of adoption~~) by a record vote of 102 yeas, 35 nays, 4 present, not voting

MAY 26 1999

Returned to Senate.

Sharon Carter

CHIEF CLERK OF THE HOUSE

MAY 26 1999

Returned from House without amendment.

Returned from House with \_\_\_\_\_ amendments.

Concurred in House amendments by a viva voce vote \_\_\_\_\_ yeas, \_\_\_\_\_ nays.

\_\_\_\_\_ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

\_\_\_\_\_ Senate conferees instructed.

\_\_\_\_\_ Senate conferees appointed: \_\_\_\_\_, Chairman; \_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_, and \_\_\_\_\_

\_\_\_\_\_ House granted Senate request. House conferees appointed: \_\_\_\_\_, Chairman;  
\_\_\_\_\_, \_\_\_\_\_, \_\_\_\_\_

\_\_\_\_\_ Conference Committee Report read and filed with the Secretary of the Senate.

\_\_\_\_\_ Conference Committee Report adopted on the part of the House by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

\_\_\_\_\_ Conference Committee Report adopted on the part of the Senate by:

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

**OTHER ACTION:**

\_\_\_\_\_ Recommitted to Conference Committee

\_\_\_\_\_ Conferees discharged.

\_\_\_\_\_ Conference Committee Report failed of adoption by: \_\_\_\_\_

{ a viva voce vote  
\_\_\_\_\_ yeas, \_\_\_\_\_ nays

99 MAY 22 AM 1:12  
HOUSE OF REPRESENTATIVES